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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/583,772

06/21/2006

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P30122

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7055 7590 06/26/2008  
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EXAMINER

SONG, SARAH U

ART UNIT

PAPER NUMBER

2874

NOTIFICATION DATE

DELIVERY MODE

06/26/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com  
pto@gbpatent.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/583,772	<b>Applicant(s)</b> HARANO ET AL.	
	<b>Examiner</b> Sarah Song	<b>Art Unit</b> 2874	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 8 and 9 is/are rejected.
- 7) ☒ Claim(s) 4-7, 10 and 11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                               |                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                                              | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                          | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>0906</u> . | 6) <input type="checkbox"/> Other: ____.                                                |



## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Information Disclosure Statement*

2. The prior art documents submitted by the applicant in the Information Disclosure Statement filed on September 20, 2006 have all been considered and made of record (note the attached copy of form PTO-1449).

### *Claim Objections*

3. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. Note also usage of indefinite pronoun "it".

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-3 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Cho et al. (KR 10-2004-0110660).**

6. Regarding claims 1-3 and 9, Cho et al. discloses a photoelectric transforming connector for optical fibers comprising: a first connection subject 120 to which an optical fiber 121 is connected and having a first light emitting portion transmitting a light signal and/or a first light

Art Unit: 2874

receiving portion receiving a light signal through the optical fiber; a second connection subject 110 having a second light receiving portion facing the first light emitting portion and converting a light signal to an electric signal and/or a second light emitting portion facing the first light receiving portion, converting an electric signal to a light signal and transmitting it to the first light receiving portion; and a shell 130 to which the first connection subject and the second connection subject are attached; wherein the shell has a bottom plate 131 to which the first connection subject and the second connection subject are attached so that the first light emitting portion faces the second light receiving portion and/or the first light receiving portion faces the second light emitting portion, and a plurality of elastic pieces 132 provided to stand upward on four sides of the bottom plate and contacting with the first connection subject and the second connection subject. Two elastic pieces are individually formed corresponding to the first connection subject and the second connection subject on each of two sides among four side of the bottom plate, which are parallel to an opposing direction of the first connection subject and the second connection subject. An engaging portion, which is inwardly bent, is formed in a vicinity of a front end of at least an elastic piece corresponding to the first connection subject among two elastic pieces respectively provided on each of two sides of the bottom plate parallel to the opposing direction of the first connection subject and the second connection subject, and a slanted face pressed toward the bottom plate of the shell with the engaging portion is formed on each side face of the first connection subject. The first light emitting portion and the first light receiving portion are provided in parallel with each other on the face of the first connection subject facing the second connection subject; and the second light emitting portion and the second light receiving portion are provided in parallel with each other on the face of the second

Art Unit: 2874

connection subject facing the first connection subject respectively for facing the first light emitting portion and the first light receiving portion. See Figure 2.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cho et al.**

9. Regarding claim 8, Cho et al. does not appear to disclose the material of the first connection subject or the shell, and wherein the shell is grounded.

10. However, conductive plastics for transceiver components are well known in the art for providing EMI shielding while maintaining low cost advantages of plastic technologies.

Furthermore, it is common practice in the art to provide an outer shell that is metal and grounded in order to provide proper EMI shielding. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a conductive plastic first connection subject, a metal shell, and to ground the shell in order to improve the EMI shielding characteristics of the module of Cho et al. Furthermore, it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. See MPEP 2144.07.

***Allowable Subject Matter***

11. Claims 4-7, 10 and 11 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

12. The prior art of record does not disclose or suggest the limitations of claims 4-7, 10 and 11.

***Conclusion***

13. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sarah Song whose telephone number is 571-272-2359. The examiner can normally be reached on M-Th 7:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on 571-272-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2874

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sarah Song/  
Sarah Song  
Primary Examiner  
Art Unit 2874